



Exempt Action Proposed Regulation Agency Background Document

Agency name	Virginia Department of Agriculture and Consumer Services
Virginia Administrative Code (VAC) citation	2 VAC 5 620
Regulation title	Rules and Regulations Pertaining to the Establishment of the Dangerous Dog Registry
Action title	Promulgate New Regulation
Document preparation date	February 26, 2007

When a regulatory action is exempt from executive branch review pursuant to § 2.2-4002 or § 2.2-4006 of the Administrative Process Act (APA), the agency is encouraged to provide information to the public on the Regulatory Town Hall using this form.

Note: While posting this form on the Town Hall is optional, the agency must comply with requirements of the Virginia Register Act, the *Virginia Register Form, Style, and Procedure Manual*, and Executive Orders 36 (06) and 58 (99).

Summary

Please provide a brief summary of all regulatory changes, including the rationale behind such changes. Alert the reader to all substantive matters or changes. If applicable, generally describe the existing regulation.

Copies of the complete text of the proposed regulation may be obtained by contacting:

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The last day for receipt of comments on the proposed regulation is May 2, 2007.

Description

This proposed regulation is critical to the welfare and protection of the citizens of the Commonwealth in that it establishes registration requirements for all dogs that have been adjudicated dangerous in the Commonwealth of Virginia. This proposed regulation requires that the public shall have access to all information posted in the dangerous dog registry, which will enable the public to locate dangerous dogs in neighborhoods throughout the Commonwealth.

Pursuant to §§ 3.1-796.93:1 and 3.1-796.93:3 of the Code of Virginia the proposed regulation establishes the procedures and requirements for registration of dangerous dogs with local jurisdictions and the Dangerous Dog Registry of the Commonwealth of Virginia. This regulation describes the responsibilities of owners of dangerous dogs, local animal control and law enforcement officers, the Commissioner of the Virginia Department of Agriculture and Consumer Services, and the State Veterinarian. This regulation clarifies and establishes the requirements for initial registration and renewal registration for owners of dogs found dangerous by a court of competent jurisdiction in Virginia and describes the situations concerning their dangerous dogs that require owners to notify local animal control officers. The Dangerous Dog Registry will be established online by the Department of Agriculture and Consumer Services so that all interested persons will have electronic access to the information in the registry. As envisioned the registry will require that the local animal control officer report only that information that the officer is required to obtain or is a matter of public record in the locality.

Statutory Authority and Exemption from Administrative Process Act

Section 3.1-796.93:3 of the Code of Virginia gives the Commissioner of Agriculture and Consumer Services the authority to establish the Commonwealth of Virginia Dangerous Dog Registry to be maintained by the Virginia Department of Agriculture and Consumer Services, Office of Veterinary Services.

Section 3.1-796.93:3 of the Code of Virginia also states that “Actions of the Department relating to the establishment, operation, and maintenance of the Commonwealth of Virginia Dangerous Dog Registry under this section shall be exempt from the provisions of the Administrative Process Act (§ [2.2-4000](#) et seq.).”

Family impact

Assess the impact of this regulatory action on the institution of the family and family stability.

The proposed regulation seeks to protect families and provide families with a website to locate dangerous dogs throughout the Commonwealth. The proposed regulation will enable families to locate dangerous dogs in their neighborhoods and provide warning to their children. The proposed regulation seeks to provide stringent registration requirements to prevent disastrous

events which could lead to human or animal death or physical harm or negative economic impact from litigation.